

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 4:12CR058

CLEVE CALLOWAY GORDON

**GOVERNMENT'S MOTION FOR BRIEF CONTINUANCE OF COMPETENCY
HEARING DUE TO WEATHER/TRAVEL CONDITIONS**

Comes now the United States of America, by and through the United States Attorney for the Northern District of Mississippi, and respectfully requests that this Court consider a very brief continuance of the competency hearing currently scheduled for Monday, January 25, 2016. In support of this motion, the United States would show to the Court the following:

- 1) A competency hearing is scheduled in the case of CLEVE CALLOWAY GORDON for Monday, January 25, 2016 at 1:30 pm. in Oxford, Mississippi.
- 2) Forensic Psychologist Dr. Adeirdre Stribling-Riley of FMI Butner, North Carolina is the evaluating/treating doctor in Mr. Gordon's case and a necessary witness for the United States at the aforementioned hearing. Dr. Stribling-Riley is scheduled to travel on a flight from North Carolina to Memphis, Tennessee on Saturday, January 23, 2016, and is slated to complete her travel and arrive in Oxford on Sunday, January 24, 2016. However, a winter storm warning is in effect for all of the travel area with snow and ice projected, beginning on Friday, January 22, 2016.
- 3) Dr. Stribling-Riley has contacted undersigned counsel this morning to advise that a state of emergency has already been declared in her home state of North Carolina

due to the projected winter storm, and FMI Butner is in the process of implementing emergency operational proceedings. Based on the current forecast and predicted snow and ice accumulations, Dr. Stribling-Riley is concerned that travel will be impossible this weekend and that she will not be able to arrive in Oxford in time for Monday's early afternoon hearing. Also, Dr. Adeirdre Stribling-Riley has confirmed that Delta Airlines is already cancelling flights for coming days.

- 4) Based on the aforementioned facts, the United States would respectfully request that the court consider a very brief continuance of the hearing scheduled for 1:30pm on Monday, January 25, 2016, to help ensure that the necessary witness can safely travel to Oxford in advance of the hearing.
- (5) The United States further requests that any delay occurring as a result of these proceedings be excluded pursuant to 18 U.S.C. § 3161 (h)(1)(A).

Respectfully submitted this 21st day of January, 2016.

FELICIA C. ADAMS
United States Attorney
By: /s/ Susan S. Bradley
SUSAN S. BRADLEY
MS Bar #102629; TN Bar #018557
Assistant United States Attorney
Ethridge Professional Building
900 Jefferson Avenue
Oxford MS 38655-3608
Telephone 662/234-3351
Criminal Division fax 662/234-0657

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2016, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Honorable Gregory S. Park
greg_park@fd.org

/s/ Susan S. Bradley

SUSAN S. BRADLEY
Assistant United States Attorney